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**DATE:** October 8, 2004

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**TO:** Mail Stop Amendment  
Examiner: Albert J. Gagliardi  
Art Unit: 2878

**FAX:** (703) 872-9306

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**TOTAL NUMBER OF PAGES, INCLUDING THIS COVER LETTER:** 8

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Certificate of Fax Transmittal  
Response to Notice of Non-Compliant Amendment (Supplemental Preliminary Amendment) (5 pages)

Attorney Docket No.: 22177-0016/3  
Application No.: 10/759,499  
Filed: January 16, 2004

**FAX NUMBER:** (717) 237-5300

**PARALEGAL RESPONSIBLE:** Kimberly A. Newell **TELEPHONE:** (717) 237-5239

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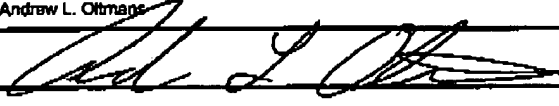
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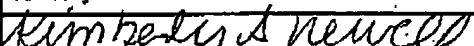
PTO/SB/21 (02-04)

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/759,499	
	Filing Date	January 16, 2004	
	First Named Inventor	DONLON et al.	
	Art Unit	2878	
	Examiner Name	GAGLIARDI, ALBERT J.	
Total Number of Pages in This Submission	8	Attorney Docket Number	22177-0016/3

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.63	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Certificate of Fax Transmittal</b>
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Firm or Individual name	McNees Wallace & Nurick LLC Andrew L. Ottman	
Signature		
Date	October 8, 2004	

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**RECEIVED  
CENTRAL FAX CENTER****OCT 08 2004**Application No.: 10/759,499  
Docket No.: 22177-0016/3**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: DONLON et al. :

Application No. 10/759,499 :

Group Art Unit: 2878

Filed: January 16, 2004 :

Examiner: A. Gagliardi

For: SCANNING SYSTEM WITH FLEXIBLE DRIVE ASSEMBLY

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**  
**(SUPPLEMENTAL PRELIMINARY AMENDMENT)**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please consider the following Response / Supplemental Preliminary Amendment for the above-referenced Application.

**A) INTRODUCTORY COMMENTS**

This Response / Supplemental Preliminary Amendment is filed in response to the Notice of Non-Compliant Amendment dated September 10, 2004.

The Amendments to the Specification section begins on page 2 of this Response.

The Amendments to the Claims section begins on page 3 of this Response.

The Remarks/Arguments section begins on page 4 of this Response.

PTO/SB/07 (08-03)

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**Transmittal Form**

Response to Notice of Non-Compliant Amendment (Supplemental Preliminary  
Amendment) (5 pages)

Certificate of Fax Transmittal

Attorney Docket No.: 22177-0016/3

Application No.: 10/759,499

Filed: January 16, 2004

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